IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1246 OF 2006
IN
APPEAL NO.269 OF 2006
IN
NOTICE OF MOTION NO.3630 OF 2003
IN
SUIT NO.918 OF 2002

M/s.N.S. Trading Company ....Appellant

V/s.

ICICI Bank Ltd. & Ors. ....Respondents

Mr.A.A. Joshi i/b Mrs.Anjali Helekar for the Appellant.
Mr.Prateek Sekseria i/b M.K. Ambalal & Co. for Respondent No.1.

CORAM : DR.S. RADHAKRISHNAN & S.J. VAZIFDAR, JJ.
DATED : 21ST JULY, 2006.

P.C. :

1. Heard the learned counsel for the Appellant and the learned counsel for Respondent No.1. The other Respondents are not necessary in the above Appeal. The above Appeal has already been admitted.

2. Having regard to the facts and circumstances of the case, the Notice of Motion is made absolute in terms of prayer clause (a). It is made clear that the Appellant shall not dispose of, alienate, encumber or create any third party right, title, interest in

respect of the said plot. Respondent No.1 is at liberty to serve a copy of this order to CIDCO.

3. The Notice of Motion is stands disposed of.

(DR.S. RADHAKRISHNAN, J.)

S.J. VAZIFDAR, J.)